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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

Chad Cori Huval, Stephen Randall Holmes-Farley, John S. Petersen
and Pradeep K. Dhal

Application No.:

10/025,184

Group: 1617

Patent & Trademark
APR 16 2002
SEARCHED

December 19, 2001

Examiner: Not Assigned

For:

COMBINATION THERAPY FOR TREATING HYPERCHOLESTEROLEMIA

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, P.O. Box 2327, Arlington, VA 22202

on 4/11/02

Date

Signature

Daniella Loper

Daniella Loper

Typed or printed name of person signing certificate

REPLY TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Box Missing Parts
Assistant Commissioner for Patents
P.O. Box 2327
Arlington, VA 22202

Sir:

In reply to the Notice to File Missing Parts dated March 19, 2002, the following documents and fees are being submitted for filing in the captioned application. A copy of the Notice is attached.

[] **EXECUTED DECLARATION FOR PATENT APPLICATION**

(Separate transmittal letter and postcard not required)

[] **POWER OF ATTORNEY DOCUMENT**

[] **GRANTED BY INVENTOR(S)**

[] **GRANTED BY ASSIGNEE, including Statement under 37 C.F.R. 3.73(b)**

(Separate transmittal letter and postcard not required)

[] **PRELIMINARY AMENDMENT**

(Separate transmittal letter and postcard not required)

[X] **FILING FEE - with Fee Transmittal for Patent Applications in duplicate**

Fee calculations based on:

[X] Claims as originally filed

[] Claims upon entry of the Preliminary Amendment filed [herewith] [with the application]

(Separate transmittal letter and postcard not required)

[X] **SURCHARGE - surcharge fee of \$130.**

(Separate transmittal letter and postcard not required)

[] **SEQUENCE LISTING** - Filed concurrently and is attached

(Separate transmittal letter and postcard required)

[] **SUBSTITUTE DRAWINGS**

[] Sheets of substitute drawings consisting of Figs. 1 - [] are enclosed

(Separate transmittal letter and postcard not required)

[] **PETITION FOR EXTENSION OF TIME**

[] Applicant hereby petitions to extend the time to respond to the Notice to File Missing Parts dated [] for [] month(s) from [] to []

The appropriate fee of \$[] is included in the enclosed check

[] A [] month extension of time to respond to the Notice to File Missing Parts dated [] was filed on [] with payment of a \$[] fee

[] Applicant hereby petitions for an additional [] month extension of time to respond to the Notice to File Missing Parts. The appropriate fee of \$[] is included in the enclosed check

(Separate Petition for Extension of Time and postcard not required)

[X] REQUEST FOR CORRECTED FILING RECEIPT - Filed concurrently and is attached

(Separate transmittal letter and postcard required)

[] **STATEMENT CLAIMING SMALL ENTITY STATUS**

[] Was filed on []

[] Is enclosed herewith.

(Separate transmittal letter and postcard not required)

[] In view of the small entity status of the captioned application, we hereby request a reimbursement of 50% of the filing fees in the amount of \$[] which were paid on [] to be deposited in Deposit Account No. 08-0380

The fees required for filing the indicated documents are enclosed in the form of a check in the total amount of \$870. Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 08-0380. A copy of this letter is enclosed for accounting purposes.

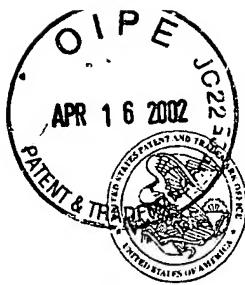
Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Susan M. Abelleira
Susan M. Abelleira
Registration No.: 42,252
Tel.: (978) 341-0036
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Concord, Massachusetts 01742-9133

Date: April 11, 2005



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/025,184	12/19/2001	Chad Cori Huval	+1932-1064-003 1932.1064-033

021005
HAMILTON, BROOK, SMITH & REYNOLDS, P.C.
530 VIRGINIA ROAD
P.O. BOX 9133
CONCORD, MA 01742-9133.

FORMALITIES LETTER



OC00000007666443

Date Mailed: 03/19/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 870.**

*A copy of this notice **MUST** be returned with the reply.*

JenD

Customer Service Center

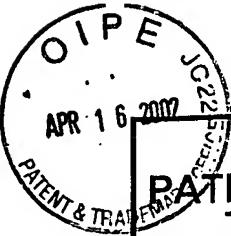
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

04/16/2002 NMCHAMM1 00000038 10025184

01 FC:101
02 FC:105

740.00 0P
130.00 0P



HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under
37 C.F.R. 1.53(b))

Attorney Docket No. 1932.1064-033
First Named Inventor or Application Identifier Chad Cori Huval
Express Mail Label No. EV044390928US

COPY

Title of Invention

COMBINATION THERAPY FOR TREATING HYPERCHOLESTEROLEMIA

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. Fee Transmittal Form
(Submit an original, and a duplicate for fee processing)
2. Specification **Total Pages 28**
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross References to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings *(if filed)*
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
3. Drawing(s) (35 U.S.C. 113) **Total Sheets []**
 Fig. of the Drawings for Publication **[]**
 No Figure to be Published
4. Oath or Declaration/POA **Total Pages 3**
 - a. Newly executed (original or copy)
 - b. Copy from a prior application (37 C.F.R. 1.63(d))
(for continuation/divisional with Box 17 completed)
 - i. **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5. CD-ROM or CD-R in duplicate, large table or Computer Program *(Appendix)*

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, D.C. 20231

ACCOMPANYING APPLICATION PARTS

7. Assignment Papers (cover sheet & documents)
 Assignee - GelTex Pharmaceuticals, Inc.
Waltham, Massachusetts
8. Power of Attorney **[]** 37 C.F.R. 3.73(b) Statement
9. English Translation Document *(if applicable)*
10. Information Disclosure Statement (IDS)/PTO-1449 Copies of IDS Citations as noted
11. Preliminary Amendment
12. Return Receipt Postcard
13. Small Entity **[]** Statement filed in prior application, Statement(s) status still proper and desired
- 14a. Foreign Priority Claim under 35 U.S.C. §119 or 365
- 14b. Certified Copy of Priority Document(s)
15. Nonpublication Request *(check parent application)*
16. Other Remarks/Change of Correspondence Address

17. If a CONTINUING APPLICATION, check appropriate box; supply the requisite information.

Continuation Divisional Continuation-in-part (CIP) of prior application No.: 09/311,103

Prior application information: Examiner: Webman, E. Group Art Unit: 1617

The entire disclosure of the prior application is considered a part of the disclosure of the accompanying application and is hereby incorporated by reference.
(Add standard Related Applications section with incorporation by reference to specification or update same)

18. CORRESPONDENCE ADDRESS

NAME	Customer No. 021005				
	HAMILTON, BROOK, SMITH & REYNOLDS, P.C.				
ADDRESS	530 Virginia Road, P.O. Box 9133				
CITY	Concord	STATE	MA	ZIP CODE	01742-9133
COUNTRY	USA	TELEPHONE	(978) 341-0036		FAX (978) 341-0136

Signature	Susan M. Abelleira	Date	December 19, 2001
Submitted by Typed or Printed Name	Susan M. Abelleira	Reg. Number	42,252

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

FEE TRANSMITTAL FOR
PATENT APPLICATIONS

Attorney Docket Number	1932.1064-033
Application Number	10/025,184
First Named Inventor	Chad Cori Huval

CLAIM CALCULATION (includes any preliminary amendment)

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c) or (j))	6 - 20* =	0	x \$ 18 =	\$ 0
	INDEPENDENT CLAIMS (37 CFR 1.16(b) or (i))	1 - 3** =	0	x \$ 84 =	\$ 0
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			+ \$ 280 =	\$
				BASIC FEE (37 CFR 1.16(a) or (h))	\$ 740
			Total of above Calculations =		\$ 740
			Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27, 1.28) =		\$
			TOTAL =		\$ 740
			Surcharge - Late Filing of Declaration or Filing Fees (37 C.F.R. 1.16(e)) =		\$ 130
			Petition for Extension of Time Fee (37 C.F.R. 1.17) =		\$
			Assignment Recordation Fee = (only when filed with application)		\$
	* Reissue claims in excess of 20 and over original patent. ** Reissue independent claims over original patent		TOTAL =		\$ 870

1. Small entity status:

- a. A small entity statement is enclosed.
- b. A small entity statement was filed in the prior non-provisional application and such status is still proper and desired.
- c. Is no longer claimed.

2. A general authorization is hereby granted to charge deposit account number 08-0380 for any fees required under 37 CFR 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes.

3. A check is enclosed for \$870. Please charge \$[] to Deposit Account No. 08-0380.

4. Other: _____

Signature	Susan M. Abelleira	Date	April 11, 2002
Submitted by Typed or Printed Name	Susan M. Abelleira	Reg. Number	42,252